

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

October 9, 2003

IN RE:

**PETITION OF US LEC TENNESSEE, INC. FOR
DECLARATORY ORDER**

**DOCKET NO.
02-00890**


ORDER ACCEPTING WITHDRAWAL OF PETITION

This matter is before the Hearing Officer on the *Notice of Settlement and Withdrawal of Petition* ("Notice") jointly filed by US LEC of Tennessee, Inc. ("US LEC") and Airstream Wireless Services, Inc. ("Airstream") with the Tennessee Regulatory Authority ("TRA") on October 7, 2003.

According to the *Notice*, all claims and disputes between the Parties to this Docket were fully settled as of September 29, 2003. As a result of the settlement, US LEC has decided to withdraw this Petition for Declaratory Order, without objection from Airstream. For good reason shown, the Hearing Officer accepts the voluntary withdrawal of US LEC's Petition for Declaratory Order.

IT IS THEREFORE ORDERED THAT:

1. By acceptance of US LEC's voluntary withdrawal of the Petition for Declaratory Order, all proceedings in this Docket are hereby concluded.
2. This Docket shall be closed fifteen days after entry of this Order.



Kim Beals, Counsel
as Hearing Officer